

**REMARKS**

Claim 1 has been amended to further characterize the nonionic surfactant (a). Support is found, for example, at paragraph [0027] of the specification. Entry of the amendment is respectfully requested as placing this case in condition for allowance. Claims 1-5, 7 and 8 are pending.

**Response to Claim Rejections Under § 103**

Claims 1-5 and 7-8 are rejected under 35 U.S.C. § 102(b) as anticipated by or, in the alternative, under 35 U.S.C. § 103(a) as obvious over JP 2001-107031 to Oharu et al. Applicants respectfully traverse, and request the Examiner to reconsider in view of the amendment to claim 1 and the following remarks.

The present claims relate to an aqueous water- and oil-repellent dispersion comprising, *inter alia*, a surfactant comprising (a) a nonionic surfactant having an HLB of less than 12, (b) a nonionic surfactant having an HLB of not less than 12 and less than 17, and (c) a nonionic surfactant having an HLB of not less than 17, at a weight ratio of (a): (b): (c) of (20-40): (50-70): (10-20), wherein the nonionic surfactant (a) is selected from  $C_{11-14}H_{23-29}$ -iso-O( $C_2H_4O$ )<sub>3</sub>H,  $C_{12}H_{25}O(C_2H_4O)_4H$  and sorbitan monopalmitate.

Oharu discloses a composition comprising 4.8g of a nonionic surfactant with a HLB value of 4 and 2.4g of a nonionic surfactant having a HLB value of 7.95. However, Oharu does not disclose a nonionic surfactant having a HLB value of less than 12 selected from  $C_{11-14}H_{23-29}$ -iso-O( $C_2H_4O$ )<sub>3</sub>H,  $C_{12}H_{25}O(C_2H_4O)_4H$  and sorbitan monopalmitate.

Therefore, because Oharu fails to disclose each of the limitations of the amended claims, the present claims are not anticipated by Oharu.

In addition, according to the present invention, an emulsion polymerization comprising the use of three nonionic surfactants having different HLB values, as presently claimed provides an aqueous water- and oil-repellent dispersion liquid which is excellent in product stability and dilution stability. *See*, paragraph [0005].

Oharu neither discloses nor suggests the above-noted advantageous features of the present invention. Thus, Oharu fails to anticipate or render obvious the present claims. Accordingly, withdrawal of the rejection is respectfully requested.

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,



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